

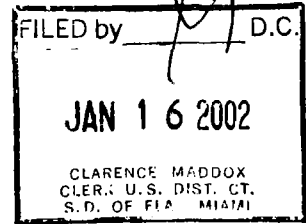
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

CASE NO. 00-6309-CR-SEITZ

UNITED STATES OF AMERICA,

v.

CHARLES CLAY,



**ORDER**

This matter came before the Court on Defendant Clay's Response to Morgenstern's Counsel's Motion to Withdraw, filed January 11, 2002, and Notice of Conflict, filed January 15, 2002. In his Response, the Defendant states that he "is prepared for trial and vigorously objects to any continuance of the February 11, 2002 trial date" due to the appointment of new counsel for Defendant, Fred Morgenstern, and any continuance he may request. In his Notice of Conflict he appears to be waiving his speedy trial demand so vigorously demanded four days earlier. In addition, it appears that he is now laying the groundwork for a continuance on the grounds that Mr. Norris, Defendant, Fred Morgenstern's new counsel, needs additional time. The Court notes that Mr. Norris undertook the representation of his client with the understanding that no continuances would be requested. Finally, the Court notes that Mr. Clay is also represented by very able co-counsel, Jon May. Because this case has been pending for more than a year and three months, Defendant Clay is advised that this case must proceed to trial. Therefore, it is

ORDERED that the trial in this matter will commence on February 11, 2002, and no continuances will be considered. If Mr. Hamar is in trial in Case No. 00-6211-Cr-Hurly, Defendant Clay will be expected to proceed to trial on February 11th with his co-counsel, Jon May, or other new counsel of his choice.

DONE AND ORDERED in Miami, Florida this 16<sup>th</sup> day of January, 2002.

  
PATRICIA A. SEITZ  
UNITED STATES DISTRICT JUDGE

See Attached Service List

818  
w/c

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00-6309-CR-SEITZ  
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